

Corrected Minutes

August 23, 2007

The Citizen's Ethics Advisory Board of the Office of State Ethics held its regular meeting on Thursday, August 23, 2007 at 1:00 p.m. in Conference Room 2-A, 2nd floor, 18-20 Trinity Street, Hartford, CT 06106.

The meeting was called to order by Chairperson Patricia Hendel at 1:00 p.m.

The following members of the Citizen's Ethics Advisory Board were in attendance:

- Patricia T. Hendel, Chairperson
- Robert Worgaftik, Vice Chairperson
- Jaclyn Bernstein, Board Member
- Rebecca Doty, Board Member
- Enid Oresman, Board Member
- Dennis Riley, Board Member
- Michael Rion, Board Member
- Scott A. Storms, Board Member
- Sister Sally J. Tolles, Board Member

The following staff members of the Office of State Ethics were in attendance for all or portions of the meeting:

- Benjamin Bycel, Executive Director
- Christine V. Vieira, Clerk/Office Assistant
- Barbara Housen, General Counsel
- Cynthia Isales, Assistant General Counsel
- TJ Jones, Ethics Enforcement Officer
- Peter Lewandowski, Assistant General Counsel
- Brian O'Dowd, Assistant General Counsel
- Meredith Trimble, Education Director

***The Citizen's Ethics Advisory Board requests that all motions and votes taken be bolded and underlined.

***Minutes are briefly summarized. Tapes of the entire public meeting are Available to the public.

The following topics were discussed during the meeting (numbers do not correspond with agenda and topics may have been added or not discussed):

1. Minutes for the July 19, 2007 regular meeting were presented to the Board for approval. Changes to the minutes were requested (including changes to the July 31st and August 14th, though those minutes were not voted on). **Chairperson Hendel entertained a motion for approval of the minutes as corrected. Board member Scott Storms moved the motion and Board member Enid Oresman seconded the motion. The vote was unanimous with eight (8) Board members in favor of approving the minutes as corrected (Rebecca Doty had not yet arrived).**

The agenda item “Chairperson’s Update” was added to the agenda to include the topics in Section 2 below in the record. Board member Michael Rion moved the motion and Board member Sister Sally Tolles seconded the motion. The vote was unanimously in favor of adding the agenda item by all nine (9) Board members.

2. Chairperson Hendel reviewed with the Board the following topics:
 - OSE Board members have met with members of the media to discuss the OSE’s accomplishments. Meetings have taken place with the Journal Inquirer and the Hartford Courant. Future meetings are scheduled with the New Haven Register, Waterbury Republican-American, and the New London Day.
 - The Regulations Sub-Committee has met under the leadership of Board member Tolles.
 - Chairperson Hendel, Vice-Chairperson Worgaftik, and Board member Jaclyn Bernstein met with the Governor concerning the Board’s search for an Executive Director.

3. Benjamin Bycel, Executive Director, presented his Director’s report for the Board:

a. Staffing

The OSE continues to work toward completing the hiring process. With Janice Luise-Lutkus, Human Resources Specialist, out for a number of weeks, Bycel noted that this effort will be delayed.

b. Education

Executive Director Bycel requested that Meredith Trimble, Director of Education, present her report to the Board highlighting the latest publication, “Citizen’s Guide to Filing a Complaint”.

c. Statements of Financial Interests

Executive Director Bycel presented a memo concerning the current process of the Statement of Financial Interests. The memo outlined the legislative and procedural changes he recommended to the Board. Bycel noted that the legal

division should review the recommendations carefully and there should be a full discussion with the Board.

The Board requested that the Legal division review, evaluate and present proposals to the Board regarding the Statement of Financial Interests form in preparation for the upcoming 2008 legislative session.

d. Affirmative Action Plan

Cynthia Isaacs, Assistant General Counsel, reported on the process of completing the Affirmative Action plan for the OSE.

e. OSE Policy Manual

Executive Director Bycel presented the Board with a draft of a proposed policy manual for consideration. The Board thanked both Bycel and Crissy Vieira for their work.

4. TJ Jones, Ethics Enforcement Officer, presented his first monthly report on the progress of the Enforcement division.
5. TJ Jones, Ethics Enforcement Officer, presented four (4) audits for the Board's approval. The Board had received materials via U.S. mail and previously reviewed the audits. **Chairperson Hendel entertained a motion for approval, in bulk, of the four (4) audits: The Business Council of Fairfield County (SACIA), Community Financial Services Association of America, Murtha Cullina, LLP, and Accredited Surety & Casualty Company, Inc. Board member Oresman moved the motion and Board member Storms seconded the motion. The vote was eight (8) Board members in favor of approving the audits and one (1) Board member, Dennis Riley, objecting to the approval of the audits.**
6. The Board had requested a monthly report from the Legal division and that "Legal Division Report" be added as an agenda item for the next Board meeting. Barbara Housen, General Counsel then stated that she could make a brief report at this time if the Board wanted an update. **Chairperson Hendel entertained a motion to hear a report from the General Counsel. Board member Rion moved the motion and Board member Storms seconded the motion. The vote was unanimous in favor of hearing the report by all nine (9) Board members.**

Barbara Housen, General Counsel, updated the Board on two issues:

- That the FOIC report from the hearing on July 13, 2007 is still pending for the hearing officer's report. Any findings and/or orders will be presented before the Board.
- That the Alan Plofsky legal matter is now on the "trial track". At this time, there is no action necessary for the OSE or the CEAB to take, although the CEAB is named as a party. Pursuant to Executive Director Bycel, the OSE had

requested Attorney General to remove OSE and the CEAB as a party from the lawsuit since neither existed at the time of the lawsuit.

7. Chairperson Hendel asked if any member of the public wished to speak. There was no comment from the public.

Draft opinions offered before the Board are as follows:

8. Brian O'Dowd, Assistant General Counsel, spoke on the draft Interpretation of General Statutes §1-82a (b) and §1-93a (b). This opinion was presented at the July Board meeting where the Board had concerns and tabled the opinion. **Chairperson Hendel entertained a motion to adopt the advisory opinion. Board member Bernstein moved the motion and Board member Tolles seconded the motion. The vote was unanimous with all nine (9) members present voting in favor of adopting the opinion,**
9. Board member Rion recused himself from this advisory opinion due to a possible conflict of interest and left the Board room. Brian O'Dowd, Assistant General Counsel, spoke on the draft response to a request for Advisory Opinion No. 4850. This opinion was presented at the July Board meeting where the Board had concerns and tabled the opinion. **Chairperson Hendel entertained a motion to adopt the advisory opinion. Board member Storms moved the motion and Board member Oresman seconded the motion. The vote was unanimous with all eight (8) members present voting in favor of adopting the opinion,**

The Board discussed the regulations and how to proceed with the next steps. It was decided that there would be a Board meeting, via conference call, scheduled for Thursday, September 6, 2007 at 1:00. The regulations should show the requested changes made by the Board.

Chairperson Hendel entertained a motion to designate the entire CEAB as the personnel search committee. Board member Storms moved the motion and Board member Riley seconded the motion. The vote was unanimous with all nine (9) members present voting in favor of designating the Board as the Personnel Search Committee,

Chairperson Hendel entertained a motion to proceed into executive session for the purposes of discussion of a personnel matter pertaining to the Executive Director. Vice-Chairperson Robert Worgaftik moved the motion and Board member Oresman seconded the motion. All Board members were in favor. Benjamin Bycel, Executive Director, was in agreement that the Board could discuss a personal matter pertaining to him in executive session.

Chairperson Hendel distributed the report requested of the Fiscal Administrative Officer, Wendy Hasbrouck, to the Board.

The Board came out of Executive Session. **Chairperson Hendel entertained a motion to adjourn the Board meeting. Board member Storms moved the motion and Vice-Chairperson Worgaftik seconded the motion. All Board members were in favor.**

The Board meeting was adjourned at 3:46 p.m.

Respectfully submitted,

Christine V. Vieira, Office Assistant, OSE
Clerk, Citizen's Ethics Advisory Board

Approved: _____

**The corrected minutes were prepared by Iris E. D'Oleo-Edwin, Clerk of the
Citizen's Ethics Advisory Board.**

Iris E. D'OleoEdwin, Clerk
Citizen's Ethics Advisory Board